

~~EN BLOC AMENDMENT TO H.R. 889, AS~~

~~REPORTED~~

OFFERED BY:MR. YOUNG OF ALASKA

AMENDMENT No. 12 At the end of title I add the following:

1 SECTION 103. AUTHORIZATION OF FUNDING RELATED TO
2 HURRICANE KATRINA.

3 There is authorized to be appropriated for fiscal year
4 2005 for the operation and maintenance of the Coast
5 Guard, in addition to the amounts authorized for that fis-
6 cal year by section 101(1) of the Coast Guard and Mari-
7 time Transportation Act of 2004 (118 Stat. 1030),
8 \$60,000,000 for emergency hurricane expenses, emer-
9 gency repairs, and deployment of personnel, to support
10 costs of evacuation, and for other costs resulting from im-
11 mediate relief efforts related to Hurricane Katrina.

At the end of title II add the following:

12 SEC. 210. ICEBREAKER OPERATION AND MAINTENANCE
13 PLAN.

14 The Secretary of the department in which the Coast
15 Guard is operating shall—

16 (1) by not later than 90 days after the date of
17 the enactment of this Act, submit to the Committee

1 on Transportation and Infrastructure of the House
2 of Representatives and the Committee on Commerce,
3 Science, and Transportation of the Senate a plan for
4 operation and maintenance of Coast Guard ice-
5 breakers in the waters of Antarctica after fiscal year
6 2006 that does not rely on the transfer of funds to
7 the Coast Guard by any other Federal agency; and
8 (2) subject to the availability of appropriations,
9 implement the plan in fiscal years after fiscal year
10 2006.

11 **SEC. 211. COMMENDATION, RECOGNITION, AND THANKS**
12 **FOR COAST GUARD PERSONNEL.**

13 (a) FINDINGS.—The Congress finds the following:

14 (1) On August 29, 2005, Hurricane Katrina
15 struck the the Gulf of Mexico coastal region of Lou-
16 isiana, Mississippi, and Alabama, causing the worst
17 natural disaster in United States history.

18 (2) The response to such hurricane by members
19 and employees of the Coast Guard has been imme-
20 diate, invaluable, and courageous.

21 (3) Members and employees of the Coast
22 Guard—

23 (A) have shown great leadership in helping
24 to coordinate relief efforts with respect to Hur-
25 ricane Katrina;



1 (B) have used their expertise and special-
2 ized skills to provide immediate assistance to
3 victims and survivors of the hurricane; and

4 (C) have set up remote assistance oper-
5 ations in the affected areas in order to best pro-
6 vide service to Gulf of Mexico coastal region.

7 (4) Members of the Coast Guard have volun-
8 teered their unique resources to assess the situation
9 and deliver aid when and where other relief efforts
10 could not.

11 (5) Members of the Coast Guard have dem-
12 onstrated their resolve and character by providing
13 aid to Hurricane Katrina victims and survivors.

14 (6) Members and employees of the Coast Guard
15 have worked together to bring clean water, food, and
16 resources to victims and survivors in need.

17 (b) COMMENDATION, RECOGNITION, AND THANKS.—

18 The Congress—

19 (1) commends the outstanding efforts in re-
20 sponse to Hurricane Katrina by members and em-
21 ployees of the Coast Guard;

22 (2) recognizes that the actions of these individ-
23 uals went above and beyond the call of duty; and

24 (3) thanks them for their continued dedication
25 and service.

1 **SEC. 212. HOMEOWNERS ASSISTANCE FOR COAST GUARD**
2 **PERSONNEL AFFECTED BY HURRICANE**
3 **KATRINA.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, the Secretary of the department in which the
6 Coast Guard is operating may reimburse a person who is
7 eligible under subsection (b) for reimbursement under this
8 section, for losses of qualified property owned by such per-
9 son that result from damage caused by Hurricane
10 Katrina.

11 (b) ELIGIBLE PERSONS.—A person is eligible for re-
12 imbursement under this section if the person is a civilian
13 employee of the Federal Government or member of the
14 uniformed services who—

15 (1) was assigned to, or employed at or in con-
16 nection with, a Coast Guard facility located in the
17 State of Louisiana, Mississippi, or Alabama on or
18 before August 28, 2005;

19 (2) incident to such assignment or employment,
20 owned and occupied property that is qualified prop-
21 erty under subsection (e); and

22 (3) as a result of the effects of Hurricane
23 Katrina, incurred damage to such qualified property
24 such that—

25 (A) the qualified property is unsalable (as
26 determined by the Secretary); and

1 (B) the proceeds, if any, of insurance for
2 such damage are less than an amount equal to
3 the greater of—

4 (i) the fair market value of the quali-
5 fied property on August 28, 2005 (as de-
6 termined by the Secretary); or

7 (ii) the outstanding mortgage, if any,
8 on the qualified property on that date.

9 (c) REIMBURSEMENT AMOUNT.—The amount of the
10 reimbursement that an eligible person may be paid under
11 this section with respect to a qualified property shall be
12 determined as follows:

13 (1) In the case of qualified property that is a
14 dwelling or condominium unit, the amount shall
15 be—

16 (A) the amount equal to the greater of—

17 (i) 85 percent of the fair market value
18 of the dwelling or condominium unit on
19 August 28, 2005 (as determined by the
20 Secretary), or

21 (ii) the outstanding mortgage, if any,
22 on the dwelling or condominium unit on
23 that date; minus

24 (B) the proceeds, if any, of insurance re-
25 ferred to in subsection (b)(3)(B).



1 (2) In the case of qualified property that is a
2 manufactured home, the amount shall be—

3 (A) if the owner also owns the real prop-
4 erty underlying such home, the amount deter-
5 mined under paragraph (1); or

6 (B) if the owner leases such underlying
7 property—

8 (i) the amount determined under
9 paragraph (1); plus

10 (ii) the amount of rent payable under
11 the lease of such property for the period
12 beginning on August 28, 2005, and ending
13 on the date of the reimbursement under
14 this section.

15 (d) TRANSFER AND DISPOSAL OF PROPERTY.—An
16 owner receiving reimbursement under this section shall
17 transfer to the Secretary all right, title, and interest of
18 the owner in the qualified property for which the owner
19 receives such reimbursement. The Secretary shall hold,
20 manage, and dispose of such qualified property in the
21 same manner that the Secretary of Defense holds, man-
22 ages, and disposes of real property under section 1013 of
23 the Demonstration Cities and Metropolitan Development
24 Act of 1966 (42 U.S.C. 3374).



1 (e) QUALIFIED PROPERTY.—Property is qualified
2 property for the purposes of this section if as of August
3 28, 2005, the property was a one- or two-family dwelling,
4 manufactured home, or condominium unit in the State of
5 Louisiana, Mississippi, or Alabama that is owned and oc-
6 cupied, as a principal residence, by a person who is eligible
7 under subsection (b).

8 (f) SUBJECT TO APPROPRIATIONS.—The authority to
9 pay reimbursement under this section is subject to the
10 availability of appropriations.

11 **SEC. 213. REPORT ON PERSONNEL, ASSETS, AND EXPENSES.**

12 Not later than September 15, 2005, and at least once
13 every month thereafter through January 2006, the Com-
14 mandant of the Coast Guard shall report to the Committee
15 on Transportation and Infrastructure of the House of
16 Representatives and the Committee on Commerce,
17 Science, and Transportation of the Senate regarding the
18 personnel and assets deployed to assist in the response to
19 Hurricane Katrina and the costs incurred as a result of
20 such response that are in addition to funds already appro-
21 priated for the Coast Guard for fiscal year 2005.

22 **SEC. 214. LIMITATION ON MOVING ASSETS TO ST. ELIZA-**
23 **BETHS HOSPITAL.**

24 The Commandant of the Coast Guard may not move
25 any Coast Guard personnel, property, or other assets to

1 the West Campus of St. Elizabeths Hospital until the Ad-
2 ministrator of General Services submits to the Committee
3 on Transportation and Infrastructure of the House of
4 Representatives and the Committee on Commerce,
5 Science, and Transportation and the Committee on Envi-
6 ronment and Public Works of the Senate plans---

7 (1) to provide road access to the site from
8 Interstate Route 295; and

9 (2) for the design of facilities for at least one
10 Federal agency other than the Coast Guard that
11 would house no less than 2,000 employees at such
12 location.

Amend section 405 to read as follows:

13 **SEC. 405. REPORT.**

14 (a) IN GENERAL.—The Commandant of the Coast
15 Guard shall review the adequacy of assets and facilities
16 described in subsection (b) to carry out the Coast Guard's
17 missions, including search and rescue, illegal drug and mi-
18 grant interdiction, aids to navigation, ports, waterways
19 and coastal security, marine environmental protection, and
20 fisheries law enforcement. Not later than 180 days after
21 the date of the enactment of this Act, the Commandant
22 shall submit a report to the Committee on Transportation
23 and Infrastructure of the House of Representatives and
24 the Committee on Commerce, Science, and Transportation



1 of the Senate that includes the findings of that review and
2 any recommendations to enhance mission capabilities in
3 those areas.

4 (b) AREAS OF REVIEW.—The report under sub-
5 section (a) shall provide information and recommendations
6 on the following assets:

7 (1) Coast Guard aircraft, including helicopters,
8 stationed at Air Station Detroit in the State of
9 Michigan.

10 (2) Coast Guard vessels and aircraft stationed
11 in the Commonwealth of Puerto Rico.

12 (3) Coast Guard vessels and aircraft stationed
13 in the State of Louisiana along the Lower Mis-
14 sissippi River between the Port of New Orleans and
15 the Red River.

16 (4) Coast Guard vessels and aircraft stationed
17 in Coast Guard Sector Delaware Bay.

18 (5) Physical infrastructure at Boat Station
19 Cape May in the State of New Jersey.

In section 412 insert “of 1990” after “Oil Pollution
Act”.

At the end of title IV add the following:

20 **SEC. 413. REPORT ON TECHNOLOGIES.**

21 Not later than 180 days after the date of the enact-
22 ment of this Act, the Commandant of the Coast Guard



1 shall submit a report to the Committee on Transportation
2 and Infrastructure of the House of Representatives and
3 the Committee on Commerce, Science, and Transportation
4 of the Senate that includes an assessment of—

5 (1) the availability and effectiveness of tech-
6 nologies that evaluate and identify inbound vessels
7 and their cargo for potential threats before they
8 reach United States ports, including technologies al-
9 ready tested or in testing at joint operating centers;
10 and

11 (2) the costs associated with implementing such
12 technology at all United States ports.

13 **SEC. 414. MOVEMENT OF ANCHORS.**

14 Section 12105 of title 46, United States Code, is
15 amended by adding at the end the following:

16 “(c) Only a vessel for which a certificate of docu-
17 mentation with a registry endorsement is issued may be
18 employed in the setting or moving of the anchors or other
19 mooring equipment of a mobile offshore drilling unit that
20 is located above or on the outer Continental Shelf of the
21 United States (as that term is defined in section 2(a) of
22 the Outer Continental Shelf Lands Act (43 U.S.C.
23 1331(a)).”.



1 SEC. 415. INTERNATIONAL TONNAGE MEASUREMENT OF
2 VESSELS ENGAGED IN THE ALEUTIAN TRADE.

3 (a) GENERAL INSPECTION EXEMPTION.—Section
4 3302(c)(2) of title 46, United States Code, is amended
5 to read as follows:

6 “(2) Except as provided in paragraphs (3) and (4)
7 of this subsection, the following fish tender vessels are ex-
8 empt from section 3301(1), (6), (7), (11), and (12) of this
9 title:

10 “(A) A vessel of not more than 500 gross tons
11 as measured under section 14502 of this title or an
12 alternate tonnage measured under section 14302 of
13 this title as prescribed by the Secretary under sec-
14 tion 14104 of this title.

15 “(B) A vessel engaged in the Aleutian trade
16 that is not more than 2,500 gross tons as measured
17 under section 14302 of this title.”.

18 (b) OTHER INSPECTION EXEMPTION AND WATCH
19 REQUIREMENT.—Paragraphs (3)(B) and (4) of section
20 3302(c) of that title and section 8104 (o) of that title are
21 each amended by striking “or an alternate tonnage meas-
22 ured under section 14302 of this title as prescribed by
23 the Secretary under section 14104 of this title” and in-
24 serting “or less than 500 gross tons as measured under
25 section 14502 of this title, or is less than 2,500 gross tons
26 as measured under section 14302 of this title”.

1 **SEC. 416. ASSESSMENT AND PLANNING.**

2 There is authorized to be appropriated to the Coast
3 Guard \$400,000 to carry out an assessment of and plan-
4 ning for the impact of an Arctic Sea Route on the indige-
5 nous people of Alaska.

6 **SEC. 417. HOMEPORT.**

7 Subject to the availability of appropriations, the Com-
8 mandant of the Coast Guard shall homeport the Coast
9 Guard cutter HEALY in Anchorage, Alaska.

10 **SEC. 418. OPINIONS REGARDING WHETHER CERTAIN FA-**

11 **CILITIES CREATE OBSTRUCTIONS TO NAVI-**

12 **GATION.**

13 In any case in which a person requests the Secretary
14 of the Army to take action to permit a wind energy facility
15 under the authority of section 10 of the Act of March 3,
16 1899 (33 U.S.C. 403), the Commandant of the Coast
17 Guard shall provide an opinion in writing that states
18 whether the proposed facility would create an obstruction
19 to navigation.

20 **SEC. 419. TEMPORARY AUTHORIZATION TO EXTEND THE**

21 **DURATION OF LICENSES, CERTIFICATES OF**

22 **REGISTRY, AND MERCHANT MARINERS' DOC-**

23 **UMENTS.**

24 (a) LICENSES AND CERTIFICATES OF REGISTRY.—

25 Notwithstanding sections 7106 and 7107 of title 46,

26 United States Code, the Secretary of the department in



1 which the Coast Guard is operating may temporarily ex-
2 tend the duration of a license or certificate of registry
3 issued for an individual under chapter 71 of that title for
4 up to one year, if—

5 (1) the records of the individual are located at
6 the Coast Guard facility in New Orleans that was
7 damaged by Hurricane Katrina; or

8 (2) the individual is a resident of Alabama,
9 Mississippi, or Louisiana.

10 (b) MERCHANT MARINERS' DOCUMENTS.—Notwith-
11 standing section 7302(g) of title 46, United States Code,
12 the Secretary of the department in which the Coast Guard
13 is operating may temporarily extend the duration of a
14 merchant mariners' document issued for an individual
15 under chapter 73 of that title for up to one year, if—

16 (1) the records of the individual are located at
17 the Coast Guard facility in New Orleans that was
18 damaged by Hurricane Katrina; or

19 (2) the individual is a resident of Alabama,
20 Mississippi, or Louisiana.

21 (c) MANNER OF EXTENSION.—Any extensions grant-
22 ed under this section may be granted to individual seamen
23 or a specifically identified group of seamen.

24 (d) EXPIRATION OF AUTHORITY.—The authorities
25 provided under this section expire on December 31, 2006.



1 **SEC. 420. TEMPORARY AUTHORIZATION TO EXTEND THE**
2 **DURATION OF VESSEL CERTIFICATES OF IN-**
3 **SPECTION.**

4 (a) **AUTHORITY TO EXTEND.**—Notwithstanding sec-
5 tion 3307 and 3711(b) of title 46, United States Code,
6 the Secretary of the department in which the Coast Guard
7 is operating may temporarily extend the duration or the
8 validity of a certificate of inspection or a certificate of
9 compliance issued under chapter 33 or 37, respectively,
10 of title 46, United States Code, for up to 6 months for
11 a vessel inspected by a Coast Guard Marine Safety Office
12 located in Alabama, Mississippi, or Louisiana.

13 (b) **EXPIRATION OF AUTHORITY.**—The authority
14 provided under this section expires on December 31, 2006.

15 **SEC. 421. TEMPORARY CENTER FOR PROCESSING OF FOR**
16 **LICENSES, CERTIFICATES OF REGISTRY, AND**
17 **MERCHANT MARINERS' DOCUMENTS.**

18 (a) **IN GENERAL.**—Not later than October 15, 2005,
19 the Commandant of the Coast Guard shall establish a tem-
20 porary facility in Baton Rouge, Louisiana, that is suffi-
21 cient to process applications for new licenses, certificate
22 of registries, and merchant mariners' documents under
23 chapters 71 or 73 of title 46, United States Code. This
24 requirement expires on December 31, 2006.



1 (b) TERMINATION OF REQUIREMENT.—The Com-
2 mandant is not required to maintain such facility after
3 December 31, 2006.

4 **SEC. 422. DETERMINATION OF NAVIGATIONAL IMPACT.**

5 In any case in which a person requests the Secretary
6 of the Army to take action under the authority of section
7 10 of the Act of March 3, 1899, popularly known as the
8 Rivers and Harbors Appropriations Act of 1899 (chapter
9 425; 33 U.S.C. 403), the Commandant of the Coast Guard
10 shall provide to the Secretary an opinion in writing that
11 states whether the proposed structure or activity would
12 create an obstruction to navigation.

13 **SEC. 423. PORT RICHMOND.**

14 The Secretary of the department in which the Coast
15 Guard is operating acting through the Commandant of the
16 Coast Guard may not approve the security plan under sec-
17 tion 70103(c) of title 46, United States Code, for a lique-
18 fied natural gas import facility at Port Richmond in Phila-
19 delphia, Pennsylvania, until the Secretary conducts a vul-
20 nerability assessment under section 70102(b) of such title.

21 **SEC. 424. CAPE ST. ELIAS LIGHT STATION.**

22 For purposes of section 416(a)(2) of Public Law
23 105-383, the Cape St. Elias Light Station shall comprise
24 approximately 10 acres in fee, along with additional access
25 easements issued without consideration by the Secretary



1 of Agriculture, as generally described in the map entitled
2 “Cape St. Elias Light Station,” dated September 14,
3 2004. The Secretary of the department in which the Coast
4 Guard is operating shall keep such map on file and avail-
5 able for public inspection.

At the end of the bill add the following:

6 **TITLE V—RESPONSE**

7 **SEC. 501. SHORT TITLE.**

8 This title may be cited as the “Delaware River Pro-
9 tection Act of 2005”.

10 **SEC. 502. REQUIREMENT TO NOTIFY COAST GUARD OF RE-**

11 **LEASE OF OBJECTS INTO THE NAVIGABLE**

12 **WATERS OF THE UNITED STATES.**

13 The Ports and Waterways Safety Act (33 U.S.C.
14 1221 et seq.) is amended by adding at the end the fol-
15 lowing:

16 **“SEC. 15. REQUIREMENT TO NOTIFY COAST GUARD OF RE-**

17 **LEASE OF OBJECTS INTO THE NAVIGABLE**

18 **WATERS OF THE UNITED STATES.**

19 “(a) REQUIREMENT.—As soon as a person has
20 knowledge of any release from a vessel or facility into the
21 navigable waters of the United States of any object that
22 creates an obstruction prohibited under section 10 of the
23 Act of March 3, 1899, popularly known as the Rivers and
24 Harbors Appropriations Act of 1899 (chapter 425; 33



1 U.S.C. 403), such person shall notify the Secretary and
2 the Secretary of the Army of such release.

3 “(b) RESTRICTION ON USE OF NOTIFICATION.—Any
4 notification provided by an individual in accordance with
5 subsection (a) shall not be used against such individual
6 in any criminal case, except a prosecution for perjury or
7 for giving a false statement.”.

8 **SEC. 503. LIMITS ON LIABILITY.**

9 (a) ADJUSTMENT OF LIABILITY LIMITS.—

10 (1) TANK VESSELS.—Section 1004(a)(1) of the
11 Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) is
12 amended—

13 (A) by redesignating subparagraph (B) as
14 subparagraph (C);

15 (B) by striking subparagraph (A) and in-
16 serting the following:

17 “(A) with respect to a single-hull vessel,
18 including a single-hull vessel fitted with double
19 sides only or a double bottom only—

20 “(i) \$1,550 per gross ton for an inci-
21 dent that occurs in 2005;

22 “(ii) \$1,900 per gross ton for an inci-
23 dent that occurs in 2006; or



1 “(iii) \$2,250 per gross ton for an inci-
2 dent that occurs in 2007 or in any year
3 thereafter; or

4 “(B) with respect to a double-hull vessel
5 (other than any vessel referred to in subpara-
6 graph (A))—

7 “(i) \$1,350 per gross ton for an inci-
8 dent that occurs in 2005;

9 “(ii) \$1,500 per gross ton for an inci-
10 dent that occurs in 2006; and

11 “(iii) \$1,700 per gross ton for any in-
12 cident that occurs in 2007 or in any year
13 thereafter; or”; and

14 (C) in subparagraph (C), as redesignated
15 by subparagraph (A) of this paragraph—

16 (i) in clause (i) by striking
17 “\$10,000,000” and inserting
18 “\$14,000,000”; and

19 (ii) in clause (ii) by striking
20 “\$2,000,000” and inserting “\$2,500,000”.

21 (2) LIMITATION ON APPLICATION.—In the case
22 of an incident occurring before the date of the enact-
23 ment of this Act, section 1004(a)(1) of the Oil Pol-
24 lution Act of 1990 (33 U.S.C. 2704(a)(1)) shall



1 apply as in effect immediately before the effective
2 date of this subsection.

3 (b) ADJUSTMENT TO REFLECT CONSUMER PRICE
4 INDEX.—Section 1004(d)(4) of the Oil Pollution Act of
5 1990 (33 U.S.C. 2704(d)(4)) is amended to read as fol-
6 lows:

7 “(4) ADJUSTMENT TO REFLECT CONSUMER
8 PRICE INDEX.—The President shall, by regulations
9 issued no later than 3 years after the date of the en-
10 actment of the Delaware River Protection Act of
11 2005 and no less than every 3 years thereafter, ad-
12 just the limits on liability specified in subsection (a)
13 to reflect significant increases in the Consumer Price
14 Index.”.

15 **SEC. 504. REQUIREMENT TO UPDATE PHILADELPHIA AREA**
16 **CONTINGENCY PLAN.**

17 The Philadelphia Area Committee established under
18 section 311(j)(4) of the Federal Water Pollution Control
19 Act (33 U.S.C. 1321(j)(4)) shall, by not later than 12
20 months after the date of the enactment of this Act and
21 not less than annually thereafter, review and revise the
22 Philadelphia Area Contingency Plan to include available
23 data and biological information on environmentally sen-
24 sitive areas of the Delaware River and Delaware Bay that
25 has been collected by Federal and State surveys.

1 **SEC. 505. SUBMERGED OIL REMOVAL.**

2 (a) AMENDMENTS.—Title VII of the Oil Pollution
3 Act of 1990 is amended—

4 (1) in section 7001(c)(4)(B) (33 U.S.C.
5 2761(c)(4)(B)) by striking “RIVERA,” and insert-
6 ing “RIVERA and the T/V ATHOS I;”; and

7 (2) by adding at the end the following:

8 **“SEC. 7002. SUBMERGED OIL PROGRAM.**

9 **“(a) PROGRAM.—**

10 **“(1) ESTABLISHMENT.—**The Undersecretary of
11 Commerce for Oceans and Atmosphere, in conjunc-
12 tion with the Commandant of the Coast Guard, shall
13 establish a program to detect, monitor, and evaluate
14 the environmental effects of submerged oil. Such
15 program shall include the following elements:

16 **“(A)** The development of methods to re-
17 move, disperse or otherwise diminish the per-
18 sistence of submerged oil.

19 **“(B)** The development of improved models
20 and capacities for predicting the environmental
21 fate, transport, and effects of submerged oil.

22 **“(C)** The development of techniques to de-
23 tect and monitor submerged oil.

24 **“(2) REPORT.—**The Secretary of Commerce
25 shall, no later than 3 years after the date of the en-
26 actment of the Delaware River Protection Act of



1 2005, submit to the Committee on Transportation
2 and Infrastructure of the House of Representatives
3 and the Committee on Commerce, Science, and
4 Transportation and the Committee on Environment
5 and Public Works of the Senate a report on the ac-
6 tivities carried out under this subsection and activi-
7 ties proposed to be carried out under this subsection.

8 “(3) FUNDING.—There is authorized to be ap-
9 propriated to the Secretary of Commerce \$1,000,000
10 for each of fiscal years 2006 through 2010 to carry
11 out this subsection.

12 “(b) DEMONSTRATION PROJECT.—

13 “(1) REMOVAL OF SUBMERGED OIL.—The
14 Commandant of the Coast Guard, in conjunction
15 with the Undersecretary of Commerce for Oceans
16 and Atmosphere, shall conduct a demonstration
17 project for the purpose of developing and dem-
18 onstrating technologies and management practices to
19 remove submerged oil from the Delaware River and
20 other navigable waters.

21 “(2) FUNDING.—There is authorized to be ap-
22 propriated to the Commandant of the Coast Guard
23 \$2,000,000 for each of fiscal years 2006 through
24 2010 to carry out this subsection.”.



1 (b) CLERICAL AMENDMENT.—The table of sections
2 in section 2 of such Act is amended by inserting after the
3 item relating to section 7001 the following:

“Sec. 7002. Submerged oil program.”.

4 **SEC. 506. DELAWARE RIVER AND BAY OIL SPILL ADVISORY**
5 **COMMITTEE.**

6 (a) ESTABLISHMENT.—There is established the Dela-
7 ware River and Bay Oil Spill Advisory Committee (in this
8 section referred to as the “Committee”).

9 (b) FUNCTIONS.—

10 (1) IN GENERAL.—The Committee shall, by not
11 later than 1 year after the date the Commandant of
12 the Coast Guard (in this section referred to as the
13 “Commandant”) completes appointment of the mem-
14 bers of the Committee, make recommendations to
15 the Commandant, the Committee on Transportation
16 and Infrastructure of the House of Representatives,
17 and the Committee on Commerce, Science, and
18 Transportation of the Senate on methods to improve
19 the prevention of and response to future oil spills in
20 the Delaware River and Delaware Bay.

21 (2) MEETINGS.—The Committee—

22 (A) shall hold its first meeting not later
23 than 60 days after the completion of the ap-
24 pointment of the members of the Committee;
25 and

1 (B) shall meet thereafter at the call of the
2 Chairman.

3 (c) MEMBERSHIP.—The Committee shall consist of
4 15 members who have particular expertise, knowledge, and
5 experience regarding the transportation, equipment, and
6 techniques that are used to ship cargo and to navigate
7 vessels in the Delaware River and Delaware Bay, as fol-
8 lows:

9 (1) Three members who are employed by port
10 authorities that oversee operations on the Delaware
11 River or have been selected to represent these enti-
12 ties, of whom—

13 (A) one member must be an employee or
14 representative of the Port of Wilmington;

15 (B) one member must be an employee or
16 representative of the South Jersey Port Cor-
17 poration; and

18 (C) one member must be an employee or
19 representative of the Philadelphia Regional Port
20 Authority.

21 (2) Two members who represent organizations
22 that operate tugs or barges that utilize the port fa-
23 cilities on the Delaware River and Delaware Bay.



1 (3) Two members who represent shipping com-
2 panies that transport cargo by vessel from ports on
3 the Delaware River and Delaware Bay.

4 (4) Two members who represent operators of oil
5 refineries on the Delaware River and Delaware Bay.

6 (5) Two members who represent environmental
7 and conservation interests.

8 (6) Two members who represent State-licensed
9 pilots who work on the Delaware River and Dela-
10 ware Bay.

11 (7) One member who represents labor organiza-
12 tions that load and unload cargo at ports on the
13 Delaware River and Delaware Bay.

14 (8) One member who represents the general
15 public.

16 (d) APPOINTMENT OF MEMBERS.—The Commandant
17 shall appoint the members of the Committee, after solic-
18 iting nominations by notice published in the Federal Reg-
19 ister.

20 (e) CHAIRMAN AND VICE CHAIRMAN.—The Com-
21 mittee shall elect, by majority vote at its first meeting,
22 one of the members of the Committee as the Chairman
23 and one of the members as the Vice Chairman. The Vice
24 Chairman shall act as Chairman in the absence of or inca-



1 pacity of the Chairman, or in the event of vacancy in the
2 Office of the Chairman.

3 (f) PAY AND EXPENSES.—

4 (1) PROHIBITION ON PAY.—Members of the
5 Committee who are not officers or employees of the
6 United States shall serve without pay. Members of
7 the Committee who are officers or employees of the
8 United States shall receive no additional pay on ac-
9 count of their service on the Committee.

10 (2) EXPENSES.—While away from their homes
11 or regular places of business, members of the Com-
12 mittee may be allowed travel expenses, including per
13 diem, in lieu of subsistence, as authorized by section
14 5703 of title 5, United States Code.

15 (g) TERMINATION.—The Committee shall terminate
16 one year after the completion of the appointment of the
17 members of the Committee.

18 **SEC. 507. MARITIME FIRE AND SAFETY ACTIVITIES.**

19 The Maritime Transportation Security Act of 2002
20 (Public Law 107–295) is amended—

21 (1) in section 407—

22 (A) in the heading by striking “**LOWER**
23 **COLUMBIA RIVER**”; and

24 (B) by striking “\$987,400” and inserting
25 “\$1,500,000”; and

- 1 (2) in the table of contents in section 1(b) by
- 2 striking the item relating to section 407 and insert-
- 3 ing the following:

“Sec. 407. Maritime fire and safety activities.”.

